

REMARKS

The applicants propose amending claims 1-5, 10, 13-15, 18, 20-24, 27, 31-35 and 37 to improve form. No new matter will be added upon entry of this amendment. Claims 1-39 will remain pending in this application upon entry of this amendment.

Claims 1, 2, 4-6, 8-14, 16-20, 23-26, 28-31, 34-36, 38 and 39 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Or et al. (U.S. Patent Application Publication No. 2002/0067742; hereinafter Or) in view of Bowman-Amuah (U.S. Patent No. 6,556,659); and claims 3, 7, 15, 21, 22, 27, 32, 33 and 37 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Or in view of Bowman-Amuah and further in view of Gray et al. (U.S. Patent Application Publication No. 2008/0189353; hereinafter Gray). The rejections are respectfully traversed.

Claim 1, amended as proposed, recites periodically polling the gateway device to obtain operating parameters related to the communications between the first and second networks, the operating parameters including at least two of information identifying Internet Key Exchange security associations (IKE SAs) no longer being used, information identifying node throughput, information identifying a number of toggles between an active card and a standby card in the gateway device, or information identifying processor utilization in the gateway device. None of the cited references discloses or suggests these features.

For example, the Final Office Action states that Or discloses periodically polling the gateway device to obtain operating parameters and points to Fig. 1 and paragraphs 6-8 for support (Final Office Action - page 4). Or at paragraphs 6-8 discloses defining a management system for network devices, such as routers or gateways, that includes an agent process for collecting data and information about the network device being managed (Or - paragraph 6).

Or at paragraphs 6-8 further discloses that the collected data is stored in a central database and the management process is able to perform various actions to collect and report the data according to a management information base (MIB) (Or - paragraph 7). This portion of Or further discloses that the use of the MIB enables network operators to configure network devices, determine the state of the network devices, change one or more parameters of the network devices and reboot network devices exhibiting suspicious behavior (Or - paragraph 8). This portion of Or, or any other portion, does not disclose or suggest periodically polling the gateway device to obtain operating parameters related to the communications between the first and second networks, where the operating parameters include at least two of information identifying Internet Key Exchange security associations (IKE SAs) no longer being used, information identifying node throughput, information identifying a number of toggles between an active card and a standby card in the gateway device, or information identifying processor utilization in the gateway device, as recited in amended claim 1.

The Office Action states that Bowman-Amuah discloses generating a health report related to a gateway device, where the health report is based on the analysis of the operating parameters and points to the abstract and col. 48, line 52 to col. 50, line 67 for support (Final Office Action - page 5). Bowman-Amuah at col. 48, line 52 to col. 50, line 67 discloses that the next generation network (NGN) operations architecture specifies collection for network wide events that feed the fault management system. These portions of Bowman-Amuah, however, do not disclose or suggest periodically polling the gateway device to obtain operating parameters related to the communications between the first and second networks, where the operating parameters include at least two of information identifying Internet Key Exchange security associations (IKE SAs) no longer being used, information identifying node

throughput, information identifying a number of toggles between an active card and a standby card in the gateway device or information identifying processor utilization in the gateway device, as recited in amended claim 1. Therefore, these portions of Bowman-Amuah cannot disclose or suggest analyzing the operating parameters and generating a health report based upon analysis of the operating parameters, as further required by claim 1.

The applicants note that Gray was not used in the grounds of rejection of claim 1. However, for completeness, the applicants will address amended claim 1 with respect to Gray. The Office Action (with respect to original claim 3) alleges that Gray discloses polling a network device to obtain information related to an internet key exchange security association and points to paragraph 43 of Gray for support (Final Office Action - page 8). Initially, the applicants note that the filing date of Gray is January 30, 2008, which is after the filing date of the current application. Gray, however, claims priority to U.S. provisional application 60/491,566 which was filed on August 1, 2003. Therefore, the only portions of Gray that may be relied upon in the rejection are portions of Gray supported in provisional application 60/491,566. Since provisional application 60/491,566 is over 400 pages long, the applicants respectfully request that if any subsequent Office Action uses Gray in a grounds of rejection, that the Examiner reference the portion of U.S. provisional application 60/491,566 relied upon to support the rejection.

In any event, Gray at paragraph 43 discloses that Intelligent Network Element (INE) 170 may receive information that is indicative of nodes 150 and 151 having exchanged cryptographic keys, as an Internet Key Exchange (IKE). INE 170 may then infer an IPSec tunnel exists between nodes 150 and 151. This portion of Gray, or any other portion of Gray, does not disclose or suggest obtaining network parameters that include information identifying

IKE SAs no longer being used. This portion of Gray also does not disclose or suggest polling a gateway device to obtain any of the other information recited in amended claim 1. That is Gray does not disclose or suggest polling a gateway device to obtain information identifying node throughput, information identifying a number of toggles between an active card and a standby card in the gateway device, or information identifying processor utilization in the gateway device.

For at least these reasons, the combination of Or and Bowman-Amuah does not disclose or suggest each of the features of amended claim 1. In addition, as discussed above, Gray does not remedy the deficiencies in the combination of Or and Bowman-Amuah. Accordingly, withdrawal of the rejection and allowance of claim 1 are respectfully requested.

Claims 2, 4-6 and 8-13 depend on claim 1 and are believed to be allowable for at least the reasons claim 1 is allowable. Accordingly, withdrawal of the rejection and allowance of claims 2, 4-6 and 8-13 are respectfully requested.

In addition, these claims recite additional features not disclosed by the cited art. For example, claim 4 recites that the polling of the gateway device to obtain operating parameters further comprises obtaining node configuration information. The Final Office Action states that Or discloses this feature and points to paragraphs 25 and 28 for support (Final Office Action - page 5). The applicants respectfully disagree.

Or at paragraph 25 discloses that each wireless application protocol (WAP) gateway must support the operation of the management information base (MIB) at least with regard to the IP tables of the database. Or at paragraph 28 discloses that the MIB configuration includes WAP configuration, WAP statistics, WAP security configuration and WAP security statistics. Neither of these portions of Or disclose or suggest polling a gateway device to obtain node

configuration information, as recited in claim 4. In contrast, these portions of Or merely disclose that a WAP gateway performs various functions with respect to providing access to mobile users to the Internet and that the MIB performs various functions with respect to managing the WAP gateway.

For at least these additional reasons, withdrawal of the rejection and allowance of claim 4 are respectfully requested.

Claim 14, amended as proposed, recites periodically polling, via a network device, an inter-network gateway to collect data related to the inter-network gateway, the data including at least two of information related to a flowcache configured to store connection information, information identifying a number of virtual private routed networks, or information identifying a number of internet key exchange security associations not being used.

The Final Office Action with respect to claim 2 states that Or discloses polling the gateway device to obtain operating parameters related to a flowcache and points to paragraph 25 of Or for support (Final Office Action - page 5). The applicants respectfully disagree.

As discussed above, Or at paragraph 25 discloses that each WAP gateway must support the operation of the MIB at least with regard to the IP tables of the database. This portion of Or does not disclose or suggest periodically polling the WAP gateway to obtain any information, much less information related to a flowcache configured to store connection information.

The Final Office Action with respect to claim 6 states that Or discloses polling the gateway device to obtain information identifying a number of virtual private routed network connections and points to paragraphs 4, 6, 128 and 156 of Bowman-Amuah for support (Final Office Action - page 6). The applicants respectfully disagree.

Initially, the applicants note that Bowman-Amuah is a U.S. patent and does not include paragraph numbers. The applicants respectfully request that any subsequent communication that references Bowman-Amuah clarify which columns and line numbers of Bowman-Amuah are being relied upon. In any event, Bowman-Amuah may disclose the use of virtual networks (VNs) (Bowman-Amuah col. 25, lines 55-63). Bowman-Amuah, however, does not disclose or suggest polling an inter-network gateway to obtain information identifying a number of virtual private routed networks, as recited in amended claim 14.

In addition, similar to the discussion above with respect to claim 1, the combination of Or and Bowman-Amuah (or Or, Bowman-Amuah and Gray) does not disclose or suggest polling an inter-network gateway to collect data that includes information identifying a number of internet key exchange security association not being used, as recited in claim 14.

Since the combination of Or and Bowman-Amuah (and Or, Bowman-Amuah and Gray) does not disclose or suggest periodically polling, via a network device, an inter-network gateway to collect any of the data recited in amended claim 14, the combination cannot disclose or suggest polling an inter-network gateway to obtain data that includes at least two of information related to a flowcache configured to store connection information, information identifying a number of virtual private routed networks, or information identifying a number of internet key exchange security association not being used, as recited in amended claim 14.

For at least these reasons, the combination of Or and Bowman-Amuah (or Or, Bowman-Amuah and Gray) does not disclose or suggest each of the features of amended claim 14. Accordingly, withdrawal of the rejection and allowance of claim 14 are respectfully requested.

Claims 16-20 and 23 depend on claim 14 and are believed to be allowable for at least the reasons claim 14 is allowable. In addition, these claims recite additional features not disclosed by the cited art.

For example, claim 19 recites that the parameters comprise statistics related to flows, predicted flows, connections, conversations and packets. The Final Office Action states that claim 19 recites features similar to those found in one of the previously addressed claims 1, 2, 4-6, 8-13, 23, 25, 26, 29 and 30 (Final Office Action - page 7). The applicants respectfully disagree and request that any subsequent communication particularly address the features of claim 19 or withdraw the rejection. In any event, the combination of Or and Bowman-Amuah does not disclose or suggest the features of claim 19.

For at least these additional reasons, withdrawal of the rejection and allowance of claim 19 are respectfully requested.

Claim 24, amended, as proposed, recites that the computer readable memory includes computer program code to automatically, periodically poll a plurality of inter-network gateways to collect data related to the plurality of inter-network gateways, the data identifying at least two of information associated with a flowcache configured to store connection information, information identifying a number of virtual private routed network networks, or information identifying a number of dead internet key exchange security association associations.

Similar to the discussion above with respect to claim 14, the combination of Or and Bowman-Amuah (or Or, Bowman-Amuah and Gray) does not disclose or suggest these features. Accordingly, withdrawal of the rejection and allowance of claim 24 are respectfully requested.

Claims 25, 26 and 28-30 depend on claim 24 and are believed to be allowable for at least the reasons claim 24 is allowable. Accordingly, withdrawal of the rejection and allowance of claims 25, 26 and 28-30 are respectfully requested.

Claim 31, amended as proposed, recites an apparatus that includes a processor to periodically poll an inter-network gateway through the interface mechanism to collect data related to the inter-network gateway, the data including at least two of information identifying a number of Internet Key Exchange security associations (IKE SAs) no longer being used, information identifying node throughput, information identifying a number of toggles between an active card and a standby card in the inter-network gateway or information identifying processor utilization in the inter-network gateway.

Similar to the discussion above with respect to claim 1, the combination of Or and Bowman-Amuah (or Or, Bowman-Amuah and Gray) does not disclose or suggest a processor that polls an inter-network gateway to collect data that includes information identifying a number of Internet Key Exchange security associations (IKE SAs) no longer being used. The combination of Or and Bowman-Amuah (or Or, Bowman-Amuah and Gray) also does not disclose or suggest a processor that polls an inter-network gateway to collect any of information identifying node throughput, information identifying a number of toggles between an active card and a standby card in the inter-network gateway or information identifying processor utilization in the inter-network gateway.

Therefore, the combination of Or and Bowman-Amuah (or Or, Bowman-Amuah and Gray) cannot disclose or suggest a processor to poll an inter-network gateway to collect data including at least two of information identifying a number of Internet Key Exchange security associations (IKE SAs) no longer being used, information identifying node throughput,

information identifying a number of toggles between an active card and a standby card in the inter-network gateway or information identifying processor utilization in the inter-network gateway, as recited in amended claim 31. Accordingly, withdrawal of the rejection and allowance of claim 31 are respectfully requested.

Claims 34-36, 38 and 39 depend on claim 31 and are believed to be allowable for at least the reasons claim 31 is allowable. In addition, these claims recite additional features not disclosed by the cited art.

For example, claim 35 recites features similar to claim 19. For reasons similar to those discussed above with respect to claim 19, withdrawal of the rejection and allowance of claim 35 are respectfully requested.

Claims 3, 7, 15, 21, 22, 27, 32, 33 and 37 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Or in view of Bowman-Amuah and further in view of Gray. The rejection is respectfully traversed.

Claims 3, 7, 15, 21, 22, 27, 32, 33 and 37 variously depend on claims 1, 14, 24 and 31 and are believed to be allowable for at least the reasons their respective independent claims are allowable. In addition, these claims recite additional features not disclosed by the cited art.

For example, claim 3, amended as proposed, recites that the polling of the gateway device to obtain operating parameters comprises obtaining information identifying IKE SAs no longer being used. The Final Office Action states that Gray discloses obtaining operating parameters that comprises information related to internet key exchange security associations and points to paragraph 43 for support (Final Office Action - page 8). The applicants respectfully disagree.

As discussed above, Gray at paragraph 43 discloses that INE 170 receives information that is indicative of nodes 150 and 151 having exchanged cryptographic keys, as an Internet Key Exchange (IKE). INE 170 may then infer an IPSec tunnel exists between nodes 150 and 151. This portion of Gray, or any other portion of Gray, does not disclose or suggest polling the gateway device to obtain operating parameters that include information identifying IKE SAs no longer being used, as recited in amended claim 3.

Claims 21 and 37 recite features similar to claim 3 and are believed to be allowable for reasons similar to those discussed above with respect to claim 3. Accordingly, for these additional reasons, withdrawal of the rejection and allowance of claims 3, 21 and 37 are respectfully requested.

CONCLUSION

The applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered, placing the application in condition for allowance. The applicants submit that the proposed amendments to the claims should not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner. Therefore, this Amendment should allow for immediate action by the Examiner. Furthermore, entry of this Amendment would place the application in better form for appeal, in the event that the application is not allowed.

In addition, as the applicants' remarks with respect to the Examiner's rejection are sufficient to overcome this rejection, the applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, assertions as to dependent claims, etc.) is not a

concession by the applicants that such assertions are accurate or such requirements have been met, and the applicants reserve the right to analyze and dispute such in the future.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-4752 and please credit any excess fees to such deposit account.

Respectfully submitted,

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